

REMARKS

Claims 1–9, 11, 12, 15–18, and 20 have been amended. Claims 29–31, 33, and 34 have been canceled. No new matter has been added. Claims 1–28 and 32 remain pending. Reconsideration is respectfully requested.

Applicants thank the Examiner for the personal interview held on June 6, 2007. At the interview, claim amendments were discussed.

Restriction requirement

Applicants confirm election of Group I (claims 1–28 and 32) for examination.

Rejection under 35 U.S.C. §102

Claims 1–28 and 32 were rejected under 35 U.S.C. §102(e) as being anticipated by Oommen (U.S. Patent No. 6,865,567). This rejection is respectfully traversed.

Claims 1, 11, 18, and 20, recite, among other things, cross-validating and sorting data substantially simultaneously.

The Office Action asserts that Oommen discloses gathering data, determining a sufficiency of data, and forming a data structure (see Office Action, page 3). Even assuming *arguendo* that the Office Action's assertion is true, Oommen still fails to teach or suggest cross-validating substantially simultaneously with sorting.

"A claim is anticipated only if each and every element is set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because Oommen fails to teach or suggest each and every element set forth in the claims, it is respectfully submitted that the rejection should be withdrawn.

Type of Response: Amendment
Application Number: 10/814,382
Attorney Docket Number: 307517.01
Filing Date: March 31, 2004

Claims 2–10, 12–17, 19, 21–28, and 32 depend from claim 1, 11, 18, or 20, and are allowable for at least the reasons set forth above for claim 1, 11, 18, or 20.

Withdrawal of the rejection is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested. Based on the foregoing, Applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's agent at the telephone number listed below.

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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
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Date: June 25, 2007

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/Kate Marochkina/
Signature

Kate Marochkina
Type or Print Name

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